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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

07/449,942 12/29/89 RANOUX

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E. EXAMINER

REICHLE, K

ART UNIT PAPER NUMBER

14

DATE MAILED 308

12/18/91

NOTICE OF ALLOWABILITY

PART I.

- This communication is responsive to supplemental to notice of 8-6-91.
- All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith or (previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- The allowed claims are _____.
- The drawings filed on _____ are acceptable.
- Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has not been received. [] not been received. [] been filed in parent application Serial No. _____, filed on _____.
- Note the attached Examiner's Amendment.
- Note the attached Examiner Interview Summary Record, PTO-413.
- Note the attached Examiner's Statement of Reasons for Allowance.
- Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____, CORRECTION IS REQUIRED.
 - The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTO-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

RANDALL L. GREEN
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ART UNIT 338

Serial No. 07449942

Art Unit 336

An extension of time under 37 C.F.R. § 1.136(a) is required in order to make an Examiner's Amendment which places this application in condition for allowance. During a telephone conversation conducted on July 31, 1991, Mr. Robert J. Patch requested an extension of time for 1 month(s) and authorized the Commissioner to charge Deposit Account No. 25-0130 the required fee of \$~~62~~⁵⁰ for this extension and authorized the following Examiner's Amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

In Claim 28 (Patent Claim 1).

line 17: after "container", insert --without removal of the container--;

line 19: after "cavity", insert --without removal of the at least one fertilized ovocyte from the uterine cavity between fertilization and transfer--.

In Claim 30 (Patent Claim 3).

line 5: delete "comprising" and insert --...spitizes--.

In Claim 33 (Patent Claim 7).

line 1: before "comprising", insert --further--.

In Claim 35 (Patent Claim 6).

line 3: delete "introduction...out" and insert --container is

Lodged in the uterine cavity--.

In Claim 64(Patent Claim 9).

line 3: after "mammal", insert --and--;

line 5: before "for", insect -[while int.]lodged into and lodged
Q2 in the uterine cavity of the mammal--;

line 8: after "container", insert --means without removal thereof
from the uterine cavity--;

line 10: after "cavity", insert --without removal thereof from
Q3 the uterine cavity between fertilization and transfer--.

In Claim 37(Patent Claim 10).

line 3: after "container", insert --means--.

In Claim 38(Patent Claim 11).

line 3: delete "portion...container" and insert --means defining
a portion of the container means--;

line 6: after "the", insert --at least one--

In Claim 39(Patent Claim 12).

line 2: delete "portion".

In Claim 40(Patent Claim 13).

line 2: delete "portion"(first occurrence)

line 3: after "er", insert --means--.

In Claim 41(Patent Claim 16).

line 2: after "container", insert --means--,

line 3: delete "portion".

In Claims 44 and 45(Patent Claims 14 and 15).

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line 2: delete "portion".

In Claim 46(Patent Claim 13)

line 3: after "container", insert --means--.

In Claim 47(Patent Claim 20)

line 2: after "container", insert --means--;

line 3: delete "fertilized ovocytes" and insert --at least one fertilized ovocyte--.

In Claim 48(Patent Claim 21)

line 3: delete "container" and insert --the container means--.

In Claim 49(Patent Claim 22)

line 2: after "container", insert --means

In Claim 50(Patent Claim 23)

lines 2-3: delete "adapted...introduced" and insert --sized for introduction--;

line 4: after "cavity", insert --and for accommodating culture

medium, at least one ovocyte and spermatozoa of the mammal while lodged in the uterine cavity for a time sufficient to allow for fertilization of the at least one ovocyte therein--;

line 9: delete "an exit area" and insert --and means--;

line 11: after "cavity", delete ",said tube,...to" and insert --

for defining an exit area to allow access to the uterine cavity without removing the tube means from the uterine cavity and

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enabling transfer of the at least one fertilized ovocyte from the tube means into the uterine cavity without removal thereof from the uterine cavity between fertilization and transfer--;

line 12: delete "accommodate...spermato-";

line 13: delete "zoa...therein";

line 14: after "expel", insert --the at least one--;

line 15: delete "ovocytes" and insert --ovocyte--.

In Claim 55(Patent Claim 28).

line 2: delete "is...expand" and insert --spands--.

In Claim 56(Patent Claim 29).

line 5: before "second", insert --and--.

In Claim 63(Patent Claim 36).

line 3: after "piston", insert --means--.

Claim 36 has been cancelled.

Claims 28-35 and 37-64 are allowed.

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ART UNIT 338

AM
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July 18, 1991